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In re Application of  
Yamauchi et al.  
Application No. 10/583,286  
PCT No.: PCT/JP04/18923  
Int. Filing Date: 17 December 2004  
Priority Date: 17 December 2003  
Att. Docket No.: IWI-16646  
For: Method For Analyzing Proteins

DECISION

This is in response to the renewed petition under 37 CFR 1.182 filed on 28 December 2007 and the "Request To Withdraw The Holding Of Abandonment" filed on 08 January 2008, which is being treated under 37 CFR 1.181.

### DISCUSSION

#### *Petition Under 37 CFR 1.181*

Petitioner requests withdrawal of the holding of abandonment because a timely reply allegedly was filed. Review of the record reveals that, in fact, a response to the Communication mailed 07 August 2007 was filed on 28 December 2007, along with a three-month extension of time under 37 CFR 1.136(a), rendering the response timely. As such, the Notification of Abandonment (Form PCT/DO/EO/909) mailed on 28 December 2007 was inappropriate, and it is hereby VACATED. The petition under 37 CFR 1.181 is GRANTED.

#### *Petition Under 37 CFR 1.182*

In the Communication (Decision) mailed on 07 August 2007, the petition under 37 CFR 1.182 filed on 02 May 2007 was dismissed, without prejudice, because

The evidence of record is not sufficient to establish that the correct name of the second-nominated inventor is in fact Takashi SHINKAWA as opposed to Takashi ARAKAWA. Rather, petitioner should furnish a statement executed by the inventor in question attesting that his correct name is Shinkawa, and that he is the same person named as Arakawa in the published international application.

In response, petitioner presents additional evidence in support of the petition under 37 CFR 1.182, including a "Declaration..." signed by Takashi Shinkawa and stating that his name as a joint inventor was mistranslated as ARAKAWA, without deceptive intent. He confirms that the correct spelling of his name is instead – SHINKAWA –. In view of the totality of the evidence now of record, it would be appropriate to accept the spelling of this inventor's name on the declaration as SHINKAWA.

**CONCLUSION**

The petition under 37 CFR 1.182 is **GRANTED**.

The declaration filed on 16 June 2006 is accepted for purposes of compliance with 37 CFR 1.497(a) and (b).

This application is being forwarded to the Office of Patent Application Processing for further processing. Its date under 35 U.S.C. 371(c)(1), (2) and (4) is **16 June 2006**.

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